IN THE [illegible] COURT FOR THE COUNTY OF [illegible]

STATE OF GEORGIA

CIVIL ACTION NO. 13 SCV 439

DATE FILED 10/24/13

ATTORNEY FOR PLANTIFF:
Alfred N. Corriere
Vansant & Corriere, LLC
Post Office Box 347
Albany, Georgia 31702-0347
(229) [illegible]

NAME AND ADDRESS OF PARTY TO BE SERVED:
Dollar General Corporation
By and through its Manager
[illegible] Dawson Road
Albany, Georgia 31707

Gladys Schofill,

Plaintiff,

vs.

Dollar General Corporation,

Defendant.

**with Interrogatories, Request for Production of Documents and Request for Admissions

## SHERIFF'S ENTRY OF SERVICE

☐ I have this day served the defendant ____________ personally with a copy of the within action and summons.

☐ I have this day served the defendant ____________ by leaving a copy of the action and summons at his most notorious place of abode in this County.

Delivered same into hands of ____________ described as follows age, about ____ years; weight, about ____ pounds; height, about ____ feet and ____ inches, domiciled at the residence of defendant.

☒ Served the defendant Dollar General Corporation a corporation, by leaving a copy of the within action and summons with Connie Mitchell in charge of the office and place of doing business of said Corporation in this County. X Connie Mitchell

☐ I have this day served the above styled affidavit and summons on the defendant(s) by posting a copy of the same to the door of the premises designated in said affidavit, and on the same day of such posting by depositing a true copy of same in the United States Mail, First Class in an envelope properly addressed to the defendant(s) at the address shown in said summons, with adequate postage affixed thereon containing notice to the defendant(s) to answer said summons at the place stated in the summons.

☐ Diligent search made and defendant ____________ not to be found in the jurisdiction of this Court.

This 29th day of Oct 2013

Paul Stillson
DEPUTY

SHERIFF DOCKET ____________ PAGE ________

SC-2 Rev.98

PLAINTIFF/ATTORNEY COPY

EXHIBIT A

STATE OF GEORGIA

State
COURT

Dougherty COUNTY

Civil Action, File No. 13SCV439

Gladys Schofill

Plaintiff.

VS.

**SUMMONS**

Dollar General Corporation

Defendant.

To the above-named Defendant: Dollar General Corporation

You are hereby summoned and required to file with the Clerk of said Court and serve upon
Alfred N. Corriere, Vansant & Corriere, LLC
Plaintiff's attorneys, whose address is Post Office Box 347, 128 S. Washington Street
2nd Floor - Bank of America Building, Albany, Georgia 31702-0347
an answer to the compliant which is herewith served upon you, within 30 days after service of this summons, upon you, exclusive of the day of service. If you fail to do so, judgment by default will be taken against you for the relief demanded in the complaint.

This the 24th day of October, ~~19~~ 2013

Kristina Edwards
Dep. Clerk of Court.

DEFENDANT COPY

IN THE STATE COURT FOR THE COUNTY OF DOUGHERTY
STATE OF GEORGIA

FILED
2013 OCT 24 PM 3:31
EVONNE S. MULL
DOUGHERTY COUNTY
CLERK OF COURTS

GLADYS SCHOFILL, :
:
Plaintiff, : CIVIL ACTION NO.
:
vs. : 13 SCV 439
:
DOLLAR GENERAL CORPORATION, :
:
Defendant. :

**COMPLAINT FOR PERSONAL INJURIES**

COMES NOW, GLADYS SCHOFILL, the plaintiff herein and states her Complaint as follows:

1.

The defendant herein is a corporation organized and existing under the laws of the State of Tennessee which operates a business within this county known as Dollar General located at 2401 Dawson Road, Albany, Georgia, 31707,and is therefore subject to the jurisdiction of this Court. Service may be perfected on said defendant by serving its manager at said location.

2.

From time to time prior to May 30, 2012, the defendant herein operated a retail store known as "Dollar General" located at 2401 Dawson Road, Albany, Dougherty County, Georgia, 31707, which was held open to the public.

3.

The defendant warranted to persons entering the premises aforementioned as shoppers, who would be invitees under Georgia law, that the premises were in a safe condition and good repair.

4.

On or about May 30, 2012, the plaintiff was on the premises owned and operated by the defendant as a business invitee in the following capacity: she entered the store to make a retail purchase from the defendant.

5.

On said occasion the defendant's premises were unsafe in the following respect: The defendant, through its agents or employees, had placed an excessive amount of liquid detergent or other slippery substance on display and allowed it to leak or spill onto the floor rendering it slippery and dangerous.

6.

Immediately prior to the incident which forms the basis of this Complaint and up to and through the time of the plaintiff's injury the premises where the liquid detergent aforementioned was displayed and/or spilled was in the exclusive custody and control of the defendant, its agents and employees.

7.

The defendant, its agents, servants and employees carelessly and negligently failed to clean up the liquid detergent or place any signs warning the store patrons of the dangerous condition created by the liquid detergent. The defendant, its agents, servants and/or employees negligently failed to mop the area of the floor of the plaintiff's fall, negligently creating a hazard to shoppers.

8.

The defective and dangerous condition aforementioned was unknown to the plaintiff and not readily observable to her but was known to the defendant and/or should have been discovered, remedied and/or prevented through the exercise of ordinary care and reasonable diligence on the part of the defendant and its agents.

9.

On said occasion while on the premises of the defendant, the plaintiff, while shopping, came into contact with the slippery substance aforementioned at which time she slipped and was thrown violently to the floor, causing serious injuries to her person.

10.

As a result of the injuries aforementioned the plaintiff has suffered and will continue to suffer great pain of mind and body, will undergo significant mental anguish, and will, in reasonable probability, suffer permanent bodily impairment.

11.

The plaintiff has incurred medical expenses as a result of the injuries sustained in the incident aforementioned in the following amounts to date:

| | |
|---|---|
| MSA Chiropractic (Dr. Davis Kinney) | $ 1,099.00 |
| The Hughston Clinic (Dr. John Burkus) | 22,669.00 |
| Pro Scan Imaging (x-rays) | 250.00 |
| Hughston Orthopedic Hospital | 83,415.61 |
| Amsol Anesthetics of Georgia | 4,201.00 |
| Radiology Associates of Columbus | 58.00 |
| Internal Medicine Associates of Columbus (Dr. Tillman) | 380.00 |
| Bracing Technologies | 2,535.64 |
| Amicita Home Health | 2,715.00 |
| EBI, LP | 529.00 |
| Prescriptions | 83.45 |
| Total | $117,935.70 |

The plaintiff has undergone hospitalization and surgery for her injuries.

12.

The incident aforementioned was a direct and proximate result of the negligence of the defendant, its agents and employees and the breach of the defendant's warranty of the safety of its premises to the plaintiff herein as an invitee.

WHEREFORE, the plaintiff prays that she have judgment against the defendant in the following amounts:

(a) All medical expenses incurred as a result of the injuries aforementioned as may be proved upon the trial of this cause;

(b) An amount sufficient to compensate plaintiff for her future medical expenses;

(c) General damages in an amount to be determined by the enlightened conscience of a fair and impartial trier of fact;

(d) All costs of this action; and

(e) Any and all other relief the Court may deem just and proper.

This 24th day of October, 2013.

VANSANT & CORRIERE, LLC
Attorneys for Plaintiff

BY: ______________________
ALFRED N. CORRIERE
State Bar No. 188650

Post Office Box 347
Albany, Georgia 31702-0347
Telephone: (229) 883-6800
Facsimile: (229) 883-5909
Email: acorriere@vclaw.net

IN THE STATE COURT FOR THE COUNTY OF DOUGHERTY
STATE OF GEORGIA

| | | |
|---|---|---|
| GLADYS SCHOFILL, | : | |
| Plaintiff, | : | CIVIL ACTION NO. |
| vs. | : | 13 SCV 439 |
| DOLLAR GENERAL CORPORATION, | : | |
| Defendant. | : | |

**PLAINTIFF'S FIRST REQUEST FOR ADMISSIONS**

TO: DOLLAR GENERAL CORPORATION, DEFENDANT

YOU ARE HEREBY REQUIRED pursuant to O.C.G.A. §9-11-36, Georgia Civil Practice Act Section 36, to admit or deny the genuineness of the documents described herein and the truth of the following statements, in writing, under oath, and to file and serve a copy of your responses upon plaintiff, within forty-five (45) days of service hereof.

YOU ARE HEREBY NOTIFIED that the plaintiff intends to rely upon the provisions of O.C.G.A. §9-11-37(c), Georgia Civil Practice Act Section 37(c), and in the event you fail to make the admissions requested, the plaintiff shall file an application for the reasonable expenses incurred in making proof of those matters regarding which admissions are requested, including reasonable attorney's fees.

1. That the defendant, Dollar General Corporation has been properly served with process in this case.

2. That this Court has jurisdiction of this claim.

3. That venue for this claim is proper in this Court.

4. That the plaintiff has incurred the following expenses to date as a result of her injuries she sustained in a fall in defendant's store on Dawson Road in Albany,

Georgia on May 30, 2012:

| | |
|---|---|
| MSA Chiropractic (Dr. Davis Kinney) | $ 1,099.00 |
| The Hughston Clinic (Dr. John Burkus) | 22,669.00 |
| Pro Scan Imaging (x-rays) | 250.00 |
| Hughston Orthopedic Hospital | 83,415.61 |
| Amsol Anesthetics of Georgia | 4,201.00 |
| Radiology Associates of Columbus | 58.00 |
| Internal Medicine Associates of Columbus (Dr. Tillman) | 380.00 |
| Bracing Technologies | 2,535.64 |
| Amicita Home Health | 2,715.00 |
| EBI, LP | 529.00 |
| Prescriptions | 83.45 |
| Total | $117,935.70 |

5. That the defendant warranted to customers entering the premises referred to in plaintiff's complaint that the premises were in a safe condition and properly maintained.

6. That the plaintiff was on the premises owned and operated by the defendant as a business invitee since she was a customer intending to make a retail purchase.

7. That the plaintiff sustained injuries as a result of her fall that occurred on May 30, 2012.

This 24th day of October, 2013.

VANSANT & CORRIERE, LLC
Attorneys for Plaintiff

BY: [signature]
ALFRED N. CORRIERE
State Bar No. 188650

Post Office Box 347
Albany, Georgia 31702-0347
Telephone: (229) 883-6800
Facsimile: (229) 883-5909
Email: acorriere@vclaw.net

IN THE STATE COURT FOR THE COUNTY OF DOUGHERTY
STATE OF GEORGIA.

| | | |
|---|---|---|
| GLADYS SCHOFILL, | : | |
| Plaintiff, | : | CIVIL ACTION NO. |
| vs. | : | 13CV2254.2 |
| DOLLAR GENERAL CORPORATION, | : | |
| Defendant. | : | |

**PLAINTIFF'S FIRST INTERROGATORIES TO THE DEFENDANT**

Pursuant to the applicable Rules of Discovery, the plaintiff in the above-styled cause propounds the following interrogatories to the defendant to be answered in writing and under oath, within forty-five (45) days from the date of service upon you, and said interrogatories are hereby expressly made continuing.

When used in these interrogatories, the term defendant, or any synonym thereof, is intended to and shall embrace and include, in addition to said defendant, counsel for the defendant, and all agents, servants, employees, representatives, private investigators and others who are in possession of, or who may have obtained, information for or on behalf of the defendant.

You are under a duty to seasonably supplement any response to these interrogatories which is not complete when made. You are further under a duty to seasonably supplement your response with respect to any questions addressed to the identity and location of persons having knowledge of discoverable matters and to the identity of each person expected to be called as an expert witness at trial, the subject matter on which he or she is expected to testify, and the substance of his or her testimony. You are required to seasonably amend a prior response if you obtain information upon the basis of which you know that the response was incorrect when made or that the response, though correct when made, is no longer true and circumstances are such that a failure to amend the response is in substance a knowing concealment.

NO. 1

Please provide the names, addresses and telephone numbers of all persons, particularly any of your employees at the location at issue as of May 30, 2012:

(a) Who could be or who claim to be or may be an eye witness to the incident which forms the basis of the captioned lawsuit;

(b) Were present at the store two hours before or after plaintiff's injury;

(c) Had any contact with the plaintiff; or

(d) Had or may have any knowledge of the incident referred to in plaintiff's complaint or the facts set forth in the complaint including the display of soap.

NO. 2

State in detail the manner in which you contend that the incident referred to in the complaint occurred, stating specifically and in detail what the claim or contention of the defendant will be regarding any cause or contributing cause of the incident, including a statement in detail of the facts or information upon which each contention is based.

NO. 3

State whether you have made or received any statement or statements in any form to any person regarding any of the events or happenings referred to in the complaint, and, if so, state:

(a) The name and address of the person or persons to whom such statements were made.

(b) The dates such statements were made.

(c) The form of the statements, whether written, oral, by recording device, or to a stenographer.

(d) Whether such statements, if written, were signed.

(e) The names and address of the persons presently having possession, custody, or control of such statements.

NO. 4

State each and every act or omission of which you contend plaintiff was guilty and which you also contend constituted negligence proximately causing or contributing to the injury and damage sustained by plaintiff, identifying the witnesses or evidence supporting such contention.

NO. 5

As to any of the Plaintiff's First Request for Admissions that were denied, either in whole or in part, identify the request, give a complete description of all facts relied upon in making the denial, along with the names, current addresses, and telephone numbers of all persons having knowledge or information of each fact upon which such knowledge was based; a detailed description of the substance and content of any expert opinion relied upon in making the denial, along with the names, professional qualification, addresses and telephone numbers of the opinions rendered by each person; and, identify all documents and tangible items relied upon in making the denial or which in any way supports such denial. If, however, any part of this interrogatory is answered on information and belief, set forth the specific information believed, the source of the information, and when and in what manner the information was obtained, and why it is reasonable to believe the information is true.

NO. 6

If any of the above Requests for Admissions are denied because of lack of information or knowledge, identify the Request and give a detailed chronological account of every effort by you or your attorney to inquire into the subject matter of the Request, including the date of each effort, the person making each effort, and the substance of each effort, and the information obtained by each effort.

NO. 7

Give the name, address, place of employment, present whereabouts and telephone number, if known, of every person known to you not previously identified herein who has knowledge of facts which might be relevant to the trial of this cause or has knowledge of facts which could lead to the discovery of information which might be relevant to the trial of this cause.

NO. 8

Please list and identify by exhibit number, if one has been assigned, each photograph, chart, plat or drawing known to you illustrating any issue pertaining to the plaintiff's claim or to the claim or defense of any party to this case and for each such photograph, chart, plat or drawing, give the date same was taken or made, the name of the person taking or making same, and a brief description of what the same depicts or illustrates.

NO. 9

Please list and identify in specific detail each and every document, correspondence, writing, report, record or other items of real or documentary evidence which contains or may contain material or information which is or may be relevant upon the trial in this action.

NO. 10

Please give the name, address and telephone number of the person or persons having custody or control of each of the aforesaid items of real or documentary evidence listed in your answers to interrogatories number 8 and 9.

NO. 11

As to each employee of the defendant at work at the location referred to in plaintiff's complaint on the day of the plaintiff's injury please provide:

(a) The name, job title and description of each employee on that date;

(b) The current or last known home address, telephone number, and place of employment of such individual; and

(c) The employee's immediate supervisor on the date of the plaintiff's injury.

NO. 12

Give the name of the individual responsible for overseeing the portion of the defendant's premises where this incident occurred and explain in specific detail all instructions given to said individual for:

(a) Inspecting the premises for potential defects;

(b) Maintaining the premises in a safe condition including, but not limited to, the display of any boxes of liquid merchandise; and

(c) Placement and use of warning signs if a dangerous condition existed or was discovered.

NO. 13

Was any inspection made of the scene of the accident during the twenty-four (24) hours before or after the accident? If so, state:

(a) The name, address and job title of each person who made any inspection;

(b) The nature of the inspection made and how, if at all, it was documented; and

(c) What findings were made.

NO. 14

Describe in detail any conversations you have had with or statements you have taken from the plaintiff, or the plaintiff's representative or spouse following the incident in question including the dates of such conversations or statements and the substance of the same. If a written transcript of the same was made please so indicate.

NO. 15

As to the area in which the plaintiff contends she was injured, please provide the following information:

(a) Give the dates of any scheduled inspection of said area from May 29, 2013 through May 30, 2013, including the nature of the inspections to be made and the frequency with which such inspections were to be performed;

(b) Give the dates of all actual inspections performed during the period referred to in subparagraph (a) above;

(c) Give the name, address, and current place of employment of persons responsible for the inspections listed above;

(d) Indicate if any document or record exists relating to any scheduled or actual inspection as referenced above (schedule for inspections, check lists, sweep sheets, etc.) and, if so, the person having custody and control of such documents;

(e) Describe any scheduled maintenance to be performed and any actual inspections performed including, the results of any actual inspections performed on the area in question during the time period referred to in subparagraph (a) above.

NO. 16

Has any other incident occurred on your premises on Dawson Road in Albany, Georgia in a similar manner to the incident in which plaintiff contends she was injured? If so, for each incident, state:

(a) The date and time it occurred;

(b) A description of how it occurred;

(c) The name, or other means of identification, and address of the person to whom it occurred; and

(d) Whether any safety precaution was taken as a result of it, and, if so, a description of such safety precaution.

NO. 17

Give the name of the individual responsible for overseeing the employee of the defendant who was responsible for cleaning the floor at the store at issue during calendar year 2012 and explain in specific detail all instructions given to said individual for performance of such task.

NO. 18

Please provide the name, address, telephone number, and place of employment of any individual or their attorneys who may have asserted a claim for injuries against Dollar General for an injury arising on the premises at issue within the five year period preceding the date of plaintiff's injury down to the present time, including the name of the injured party and the date and nature of the injury alleged.

This 24th day of October, 2013.

VANSANT & CORRIERE, LLC
Attorneys for Plaintiff

BY: ______________________
ALFRED N. CORRIERE
State Bar No. 188650

Post Office Box 347
Albany, Georgia 31702-0347
Telephone: (229) 883-6800
Facsimile: (229) 883-5909
Email: acorriere@vclaw.net

IN THE STATE COURT FOR THE COUNTY OF DOUGHERTY
STATE OF GEORGIA

| | | |
|---|---|---|
| GLADYS SCHOFILL, | : | |
| | : | |
| Plaintiff, | : | CIVIL ACTION NO. |
| | : | |
| vs. | : | 13SCV 439 |
| | : | |
| DOLLAR GENERAL CORPORATION, | : | |
| | : | |
| Defendant. | : | |

**REQUEST FOR PRODUCTION OF DOCUMENTS**

TO: DOLLAR GENERAL CORPORATION

(1) I herewith serve upon you the following Request for Production of Documents under the provisions of O.C.G.A. §9-11-36, Georgia Civil Practice Act Section 36.

(2) You are requested to produce the documents herein set forth within forty-five (45) days from the date of service of this request at the law offices of Vansant & Corriere, LLC., 128 South Washington Street, 2nd Floor - Bank of America Building, Post Office Box 347, Albany, Georgia 31702-0347, or at such other place which may be agreed upon by counsel for plaintiff and defendant.

(3) When used in this request for production, the term defendant, or any synonym thereof, is intended to and shall embrace and include, in addition to said defendant, counsel for the defendant, and all agents, servants, employees, representatives, private investigators and others who are in possession of, or who may have obtained, information for or on behalf of the defendant.

(4) The term document shall encompass both the front and back of any covered document if the back contains any information, printed, written or otherwise.

(5) You are requested to produce:

(a) Any and all documents identified in response to interrogatories numbered 3, 8, 9, 14, and 15 of Plaintiff's First Interrogatories to the Defendant.

(b) Any and all incident reports relating to any incident occurring on the defendant's premises involving falls from January 1, 2010 up to and through the date of the plaintiff's injury.

(c) Any written job descriptions which exist for any employees who were working in the store on the date of the plaintiff's injury;

(d) Any written memoranda, handbooks, videotapes, or other materials that were used at the time of this incident or in use at the time of the incident or within five years prior to said date that purport to instruct the employees or communicate to contractors on any of the following:

(i) General safety and maintenance;

(ii) Handling accidents and reporting of accidents;

(iii) General safety and accident prevention;

(iv) Floor inspection, maintenance, and/or patrolling by any persons on your behalf; and

(v) Displaying merchandise in general and specifically liquid products.

(e) Any contract, lease or written agreement relating to:

(i) Your lease of the store premises on Dawson Road in Albany, Georgia; and/or

(ii) Any agreement with any third party contractor or provider for inspection, maintenance, etc. of your store premises located on Dawson Road in Albany, Georgia.

(f) Any copies of accident or incident reports, photographs, diagrams or other written documents which were prepared in connection with the alleged injury of the plaintiff on the premises on the date in question or any other person in the five (5) years prior to plaintiff's injury.

(g) Any surveillance video, pictures, video or movies of the area of the plaintiff's alleged fall.

IN LIEU THEREOF, YOU MAY ATTACH TRUE COPIES OF SUCH DOCUMENTS TO YOUR ANSWERS TO PLAINTIFF'S FIRST INTERROGATORIES TO THE DEFENDANT.

This 24th day of October, 2013.

VANSANT & CORRIERE, LLC
Attorneys for Plaintiff

BY: ____________________
ALFRED N. CORRIERE
State Bar No. 188650

Post Office Box 347
Albany, Georgia 31702-0347
Telephone: (229) 883-6800
Facsimile: (229) 883-5909
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FILED
2013 OCT 24 PM 3:31
EVONNE S. MULL
DOUGHERTY COUNTY
CLERK OF COURTS

IN THE STATE COURT FOR THE COUNTY OF DOUGHERTY
STATE OF GEORGIA

GLADYS SCHOFILL, :
Plaintiff, : CIVIL ACTION NO.
vs. : 13SCV 439
DOLLAR GENERAL CORPORATION, :
Defendant. :

**CERTIFICATE OF COUNSEL**

COMES NOW, ALFRED N. CORRIERE, Attorney for the Plaintiff in the above-styled action and certifies pursuant to the applicable rules of discovery that the following pleadings were served upon the following persons on the 24th day of October, 2013 by the method of service indicated.

Pleadings: Plaintiff's First Interrogatories, Request for Production of Documents and Request for Admissions directed to Defendant.

Served upon: Dollar General Corporation
By and through its manager
2401 Dawson Road
Albany, Georgia 31707

Method: By delivering said copies, along with Complaint and Summons to the Sheriff of Dougherty County, Georgia for service on said defendant.

ALFRED N. CORRIERE
State Bar No. 188650

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Albany, Georgia 31702-0347
Telephone: (229) 883-6800
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